

JOHN J. HARTFORD/50714  
Attorney at Law  
1423 Avondale Road  
Hillsborough, CA 94010  
Tel.: 650/445-9365  
Fax: 650/560-6363  
Email: johnjhartford@yahoo.com

Attorney for Defendant  
AMERICAN TECH.  
NETWORK CORP.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CARSON INDUSTRIES INC.,	)	NO. C 14-01769 NC
	)	
Plaintiff,	)	<b>NOTICE OF INABILITY OF</b>
	)	<b>DEFENDANT'S COUNSEL TO FILE</b>
v.	)	<b>MOTION FOR SANCTIONS ON OCTOBER</b>
	)	<b>5, 2015, AND OF INTENT TO MAKE</b>
AMERICAN TECH. NETWORK CORP. ET	)	<b>EVERY EFFORT TO FILE SAID MOTION</b>
AL,	)	<b>ON OCTOBER 6, 2015</b>
	)	
Defendant.	)	
	)	

TO THE COURT, PLAINTIFF, AND PLAINTIFF'S ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT, following the September 30, 2015, pretrial conference, the undersigned spent a significant amount of time preparing extensive opposition to Plaintiff's dispositive motion improperly disguised as a Motion in Limine No. 7, by which Plaintiff is seeking to exclude evidence pertaining to disputed material facts in a baseless attempt to deprive Plaintiff of its constitutional right to jury trial.

Plaintiff's misconduct has been exacerbated by the fact that Plaintiff filed without leave of Court additional evidence under the circumstances which failed to provide Plaintiff with actual notice of said filing, as is more fully described in the declaration of the undersigned in opposition to said

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OCTOBER 5, 2015, AND OF INTENT TO MAKE EVERY EFFORT TO FILE SAID MOTION  
ON OCTOBER 6, 2015**

1 motion in limine.

2 Moreover, the state of health of the undersigned, who is a sole practitioner, and the fact that  
3 the undersigned is not fluent with computers which has not been essential for practicing in state  
4 courts, has become an essential requirement for filing documents in Federal District Court. As a  
5 result, the undersigned is compelled to spend a significant amount of time using a computer having  
6 limited experience to do so and, which is even more problematic, scanning large numbers of  
7 documents while experiencing ongoing problems with scanning software due to the failure of the  
8 computer manufacturer of a modern computer to update the scanning software to properly drive a  
9 professional grade scanner.  
10

11 Furthermore, the ongoing misconduct of the opposing counsel has made it difficult for  
12 Defendant and its counsel to gain on such ongoing serious misconduct as to timely reflect it in the  
13 motion for sanctions in order to prevent further misconduct. These difficulties are further exacerbated  
14 by the unavailability of a regular internet access to the undersigned.

15 Plaintiff's counsel has knowingly participated and is continuing to participate with Plaintiff in  
16 its deliberate, deceptive, and unconscionable scheme to alter, falsify, and manufacture documents  
17 already used in this litigation and intended to be used at trial as primary evidence against Defendant.  
18 Plaintiff and its counsel have been acting in furtherance of their fraudulent scheme in connection with  
19 literally every document they have presented in and every proceeding they have participated in for an  
20 extended period of time. The undersigned is making every effort to be able to do so tomorrow.  
21

22 California Rules of Professional Conduct obligate Plaintiff's counsel to take measures to  
23 remediate Plaintiff's false testimony and disclose Plaintiff's deception to this Court, but, on the  
24 contrary, Plaintiff's counsel is actively participating on an ongoing basis in such conduct and not only  
25 has failed to remediate and disclose Plaintiff's deception to this Court, but has deliberately and  
26

1 deceptively introduced a new fabricated exhibit and a number of altered documents into Plaintiff's  
2 latest revised exhibit list which is part of a preconceived deliberate and unconscionable scheme. As a  
3 result, the undersigned has been compelled to create documents, including numerical tables and  
4 photographs, to be able to demonstrate deeply disguised falsifications.

5 The undersigned will make every effort to file Defendant's motion for sanctions supported by  
6 a large number of documents tomorrow even if such motion will be incomplete.

7  
8  
9 Dated: October 5, 2015

By: /s/ John J. Hartford  
JOHN J. HARTFORD  
Attorney for AMERICAN TECH.  
NETWORK CORP.